

**IN THE UNITED STATE'S DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

STEPHEN TAPP, Plaintiff,

VS.

**DR. JOHN A. VALENZA, D.D.S., DEAN
OF THE UNIVERSITY OF TEXAS HEALTH
SCIENCES CENTER AT HOUSTON-
SCHOOL OF DENTISTRY, INDIVIDUALLY
AND IN HIS OFFICIAL CAPACITY**

Civil Action No. 4:11-CV-02971

**PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION TO DISMISS
PLAINTIFF'S SECOND AMENDED COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

Notice is hereby given that Plaintiff Stephen Tapp in the above-styled and numbered cause, hereby appeals to the United States Court of Appeals for the Fifth Circuit pursuant to 28 U.S.C. § 1291 from the Opinions and Orders entered on December 19, 2011 (Dkt. 24) and those entered on August 6, 2012 (Dkts. 32, 33).

Respectfully submitted,

Cirkiel & Associates, P.C.

Martin J. Cirkiel
/s/ Mr. Martin J. Cirkiel, Esq.
1901 E. Palm Valley Blvd.
Round Rock, Texas 78664
(512) 244-6658 [Telephone]
(512) 244-6014 [Facsimile]
marty@cirkielaw.com [Email]
Texas Bar No. 00783829
Souther District Fed. ID# 21488

ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

This is to certify that on this the 31st day of August I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Southern District of Texas, using the electronic filing system of the Court. The electronic case filing system will send a "Notice of Electronic Filing" to the following attorney of record who has consented in writing to accept this Notice as service of this document by electronic means:

Honorable Darren G. Gibson
Attorney-In-Charge
Texas Bar No. 24068846
Southern District No. 1041236
Assistant Texas Attorney General
Post Office Box 12548
Capitol Station, Austin
Texas 78711-2548
(512) 463-2120 [Telephone]
(512) 320- 0667 [Facsimile]
Darren.Gibson@texasattorneygeneral.gov [Email]

/s/ Martin J. Cirkel